

Combe Fill No. ✓  
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JUN 21 1983

238324  
[Barcode]

Bruce D. Scherling, Esq.  
6 East 45 Street, Suite 305  
New York, New York 10017

Re: Combe Fill Corporation

Dear Bruce:

As we discussed yesterday, please find enclosed a copy of Judge Lacy's opinion in State of New York v. O'Neill. This decision affirms bankruptcy judge DeVito's decision permitting the Quanta Resources Corporation trustee Thomas O'Neill to abandon Quanta's facility in Long Island City. I could not find a copy of Judge DeVito's opinion in my files nor in Lexis; if one shows up I will forward it to you.

It's my understanding that New York has appealed Judge Lacy's judgment to the Third Circuit and that the U.S. Department of Justice has filed an amicus brief. The government has decided to oppose attempts by trustees to abandon property where there are existing endangerments to health or the environment owing to activities of the debtor and/or his agents. In this regard I would appreciate if you could advise me if you plan to file for abandonment of either Combe Fill North or South. I believe you indicated that you were considering such action.

Mel Hauptman and I thank you and Jerry Klein for your kind hospitality and assistance in making your Combe Fill Corporation records available. I am sure we will be in touch to request access to these documents again.

Sincerely yours,

Gregory T. Halbert  
Attorney  
Waste and Toxic Substances Branch  
Office of Regional Counsel

Enclosure

bcc: Mel Hauptman, 2 AWM-HWS